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Attorneys for Plaintiff
AIG ANNUITY INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AIG ANNUITY INSURANCE COMPANY,

Plaintiff,

v.

DOROTHEA BACON, an individual, by and
through MOLLIE M. MORONEY, as Conservator
of the Person and Estate of DOROTHEA
BACON,

Defendant.

Case No. C-06-4308-JCS

NOTICE OF DISMISSAL AND ORDER

(Fed. R. Civ. P. 41(a)(1))

Action Filed: July 13, 2006

1 PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 41(a)(1) Plaintiff
2 AIG ANNUITY INSURANCE COMPANY hereby dismisses this action in its entirety, with
3 prejudice. Pursuant to an agreement by the parties, each party will bear his and/or her own attorneys'
4 fees and costs.

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6 Dated: December 28, 2006

JACK W. LONDEN
TODD L. BURLINGAME
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10 By: /s/
Todd L. Burlingame
11 Attorneys for Plaintiff AIG ANNUITY
INSURANCE COMPANY



12/29/06